

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 19 2019

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

No. 18-30144

Plaintiff-Appellee,

D.C. No. 4:17-cr-00048-BMM

v.

MEMORANDUM*

JAYCOB TYLER KUTZERA,

Defendant-Appellant.

Appeal from the United States District Court
for the District of Montana
Brian M. Morris, District Judge, Presiding

Submitted March 12, 2019**

Before: LEAVY, BEA, and N.R. SMITH, Circuit Judges.

Jaycob Tyler Kutzera appeals from the district court's judgment and challenges the 180-month sentence imposed following his guilty-plea conviction for three counts of sexual exploitation of a child, in violation of 18 U.S.C.

§ 2251(a). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Kutzera's

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

counsel has filed a brief stating that there are no grounds for relief, along with a motion to withdraw as counsel of record. We have provided Kutzera the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Kutzera waived the right to appeal his sentence. Because the record discloses no arguable issue as to the validity of the waiver, we dismiss Kutzera's appeal. *See United States v. Watson*, 582 F.3d 974, 986-88 (9th Cir. 2009).

Counsel's motion to withdraw is **GRANTED**.

DISMISSED.